

Agency Response 1 – Environment and Heritage Group (EHG), 20 December 2022

Department of Planning and Environment

DOC22/956174

The Sydney South Planning Panel
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

20 December 2022

Subject: EHG comments on Exhibition of Planning Proposal – PP-2021-5837- Western Sydney University Campus, Milperra – 2 and 2A Bullecourt Avenue, Milperra

Dear Mr Cunningham

The Environment and Heritage Group (EHG) has received an email from the NSW Planning Portal on 20 October 2022 requesting EHG advice on the exhibition of the Planning Proposal for the rezoning of land at Western Sydney University Campus at Milperra.

EHG has reviewed the Planning Proposal and provides its comments and recommendations at Attachment A.

EHG is concerned that the area of Cumberland Plain Woodland (CPW) on the site, which is an SAI entity and a critically endangered ecological community, is likely to have been underestimated. The avoidance and retention of biodiversity at risk of extinction is a key component of complying with the Biodiversity Assessment Method (BAM) 2020. Areas mapped as 'landscaped native vegetation' on the site may be remnant CPW species. EHG considers the CPW (landscaped) which is adjacent to CPW low and good condition be considered as representative of CPW.

Please send future requests for advice from EHG to the Greater Sydney Branch mailbox at rog.gsrplanning@environment.nsw.gov.au.

Yours sincerely,



Susan Harrison

Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation

Subject: EHG comments on Planning Proposal – PP-2021-5837 – Western Sydney University Campus, Milperra at 2 and 2A Bullecourt Avenue, Milperra

The Environment and Heritage Group (EHG) has reviewed the following reports for this planning proposal:

- Exhibition - Planning Proposal – 17 October 2022
- Exhibition - Appendix B - Preliminary Ecological Assessment (PEA) – 1 July 2020
- Exhibition – Appendix B1 – Ecological Assessment (EA) v.4 – 5 October 2022
- Appendix C – Arboricultural Impact Assessment (AIA) – 20 December 2019
- Exhibition – Appendix C – Arboricultural Impact Assessment (AIA) - 29 September 2022
- Exhibition – Appendix D – Bushfire Protection Assessment (BPA) – 14 September 2022
- Exhibition – Appendix G – Stormwater Concept Plan – 22 June 2020
- Exhibition – Appendix G1 – Stormwater and Flood Advice – 7 July 2022
- Western Sydney University Infill – Development Control Plan.

EHG has previously provided preliminary biodiversity related advice by email on this Planning Proposal (dated 26 April 2022 – our ref: DOC22/287477).

Flood

Relevant existing flood studies have been considered in this proposal except for the revised Georges River Flood Study of 2019 prepared by Liverpool City Council, which must be considered by the flood assessment.

The flood assessment must consider the flood impact of the proposed development, within and outside the subject site, for both mainstream and overland flooding for the full range of floods, up to the PMF, rather than the 1% AEP flood event.

The flood assessment must consider climate change impacts from increased rainfall and sea level rise (if applicable) for mainstream and overland flooding. This may include the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.

The flood assessment should clearly assess any flood impacts within and outside the site from filling the southern portion of the site and the respective management of the flood risk.

In relation to flooding from the Georges River the site is above the flood planning area and a portion of the site to the south is in the low flood risk precinct, meaning its affected by rare to extreme flooding. During rare to extreme events the subject site is surrounded by the floodplain on three sides, but early evacuation may be required by the NSW State Emergency Service (SES) because of evacuation constraints across that whole area. The flood evacuation plan shows that a continuous rising grade is achievable within the development to a level above the PMF event for all residents during any need for evacuation. However, consultation with the NSW SES is still recommended for this proposal. Consideration needs to be given to local and regional evacuation constraints.

EHG recommends that all impacts on managing risk to life, emergency management arrangements, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood) are discussed with the NSW SES and Council before the design stage. Emergency management can be complex and encompasses multiple responses including evacuation, potential human behaviours, and severity of hazards. This extensive

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development must not increase the existing risk to life and the potential for effective evacuation, if required. The local flood plan, if available, should be considered in the assessment. Furthermore, it is critical that occupiers and owners of the site are educated on the potential flood risks within and outside the vicinity of the development, before, during and after a flood event. Community education and awareness information should be readily available to all concerned.

Biodiversity

Cumberland Plan Woodland (CPW) has been identified within the Subject Land and is listed as a critically endangered ecological community (CEEC) under the *Biodiversity Conservation Act 2016* (BC Act) as it is facing an extremely high risk of extinction in New South Wales in the immediate future. CPW is also listed as an ecological community that meets the principles and criteria for serious and irreversible impact (SAIL) - see: <https://www.environment.nsw.gov.au/resources/bcact/guidance-decision-makers-determines-serious-irreversible-impact-170204.pdf>. As such, impacts to any locations containing this CEEC should be avoided where possible.

The proposed rezoning will allow residential, business, recreation and conservation uses which will increase the intensity of the use over the site. Avoiding impacts on CPW should not be deferred to the future development stage but should be addressed as part of the planning proposal.

EHG in its submission on the PEA noted that only basic field data had been collected over the site and recommended further assessment be undertaken through application of Stage 1 and elements of Stage 2 of the Biodiversity Assessment Method 2020 (BAM) to ensure biodiversity outcomes are optimised and future development can proceed with greater certainty. Stage 1 and 2 of BAM have been drafted in the updated EA by EcoLogical Australia.

The condition of the CPW on the site has been identified as either good, low, or present as a landscaped feature of the site. Despite the current condition of the CPW on site, this community responds well to active management. As such, and given the conservation status of this community, EHG recommends that all attempts are made to avoid all impacts to CPW at the site. This is consistent with the BC Act and the BAM. The BAM includes the guidelines and requirements that apply the avoid, minimise, and offset hierarchy for assessing direct and indirect impacts.

Biodiversity Values Map

EHG previously noted a large portion of the native vegetation on the site is mapped under the NSW Biodiversity Values map. The Biodiversity Values (BV) Map identifies land with high biodiversity value that is particularly sensitive to impacts from development and clearing. Any clearing of native vegetation or impacts prescribed by section 6.1 of the *Biodiversity Conservation Regulation 2017* in these areas because of future development will trigger the Biodiversity Offset Scheme.

Vegetation communities and threatened species

According to the EA the site is approximately 19.6 hectares (ha) in area and contains approximately 2.95ha of CPW (Table 32) which comprises 1.95ha of good condition and 0.34ha of low condition PCT 849 CPW and 0.66ha of landscaped CPW (Table 3). This means only approximately 15% of the site is currently covered by CPW. Further Section 4.2.3.1 of the EA notes only the patches of PCT 849 'Low' and 'Good' meet the criteria for the CEEC under the BC Act but the patches of PCT 849 'Landscaped' do not, as the vegetation in these areas would not respond to assisted natural regeneration, due to the natural soil and associated seedbank being absent. Based on this 2.61ha of CEEC occurs on the site which means about 13% of the site is currently covered by CPW.

The future redevelopment of the site to provide a range of residential housing and associated amenity has the potential to impact CPW through land clearing and indirect impacts.

The AIA by EcoLogical Australia dated 20 December 2019 (v1) identifies several of the areas (which is mapped in Figure 4 of the EA as “landscaped native vegetation”) as native trees which are endemic to CPW (see Figures 3-6 and Appendix D). This brings into doubt whether the identification of CPW on the site has been underestimated. It appears likely that some areas mapped as “landscaped native vegetation” within Figure 4 of the EA would be more appropriately be mapped as CPW which would in turn affect the estimated offsetting requirement.

It is unclear why areas of CPW outside of the north-eastern corner of the site have been identified as CPW landscaped, given a review of 1943 aerial imagery at <https://maps.six.nsw.gov.au> shows that a portion of these areas and other areas mapped as landscaped native vegetation may indeed be remnant trees of CPW and not planted for landscaping purposes. In this regard, avoidance of impacts to remnant trees of CPW should be a priority.

EHG recommends the proposed Structure Plan for the site is amended to protect and conserve all existing remnant CPW on the site and that the fragmented patches of CPW are actively managed and linked to improve the prospects of long-term survival of the remnants and habitats on site.

In section 4.5 of the EA, consideration should be given to those records within Bionet to produce the full ecosystem credit species and species credit species lists.

Acacia pubescens

The EA notes of *Acacia pubescens* has been identified within the lot boundary (Table 15), and Table 25 indicates the project would directly impact 0.02 ha of *Acacia pubescens*, which is listed as Vulnerable under the BC Act. EHG previously advised that as the PEA reports a decline in the population size avoidance of impacts to this population should be a priority for the planning proposal. EHG repeats this advice. Recommendations how to manage this population in perpetuity should be provided to demonstrate how the increase in intensity of use in the locality will be mitigated.

Cumberland Plain Land Snail

The EA assumes the Cumberland Plain Land Snail is present on the site and there will be a direct impact on its habitat in the northeast corner of the site (see Figure 9, Table 25).

As the Cumberland Plain Land Snail can be found under logs EHG recommends the DCP includes a control that native trees that are removed by the development including hollows and tree trunks (greater than approximately 25-30cm in diameter and 2-3m in length) and root balls are used to enhance habitat in suitable locations on the site including the northeast remnant, rehabilitated CPW patches and terrestrial linkages (see comments below re DCP).

Please note the diameter of the log (greater than 25-30 cm in diameter) is important because it impacts thermal qualities and longevity of the material.

Planning Proposal - avoiding and minimising impacts

EHG previously advised the BC Act establishes a framework to avoid and minimise biodiversity impacts. The EA indicates the development has avoided and minimised the impacts on the CPW in good condition (section 5.1). Table 20 lists 0.58 ha of CPW will be directly affected including habitat for threatened species four species credit species with a high biodiversity risk weighting (Table 20). Table 22 indicates “The proposed development would remove up to 1.75 ha of habitat for four species credit species with a high biodiversity risk weighting”. The inconsistency between the tables needs to be addressed.

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The project also proposes to remove seven hollow bearing trees as part of the proposed works (Table 21, EA). The DCP should include controls to mitigate any loss of hollow bearing trees from the site (see DCP comments below).

The PPR states “the existing vegetation to the north-east (including significant woodland species) will be retained” and the EA notes “the Development site contains approximately 2.95ha of woodland (with 0.58ha to be removed) and 2.1 ha of landscaped native vegetation. It is noted 1.67 ha of the “landscaped native vegetation” is to be removed (Table 2 and Table 3). As several of the areas (which is mapped in Figure 4 of the EA as “landscaped native vegetation”) are native trees which are endemic to CPW, EHG considers the proposal should avoid and minimise the removal of the CPW and the CPW trees.

The presence of CPW on the site is likely to be an underestimate given the discussion above regarding areas mapped in Figure 4 of the EA as landscaped native vegetation and a comparison to historical aerial photography. Given the risk of SAIL to this CEEC, an assessment of whether additional trees may be able to be retained within the site should be undertaken. It is likely that additional credits could be required for impacts to remnant trees from CPW once a comparison of the AIA is undertaken in conjunction with a review of historical aerial photography. Areas mapped as ‘landscaped native vegetation’ on the site may be remnant CPW species. EHG considers the CPW (landscaped) which is adjacent to CPW low and good condition to be considered as representative of CPW.

Long term Management and Protection of CPW

The EA indicates the proposed development has been designed to retain 2.37 ha of CPW overall (Table 32). EHG previously advised it is unclear how the vegetation which is proposed for retention will be managed and protected in the future and that the planning proposal should identify methods by which to actively manage and conserve native vegetation across the site to ensure the security and protection of the retained TECs, threatened species and threatened species habitat.

The EA includes a measure to protect the northeast corner via a C2 zoning and a Terrestrial Biodiversity map overlay. EHG supports in principle the proposed inclusion of a C2 zoning and Terrestrial Biodiversity overlay but considers the C2 zoning and Terrestrial Biodiversity map overlay needs to be applied to additional areas on the site to protect and conserve:

- all existing remnant CPW on the site
- the proposed terrestrial linkages to link patches of CPW

The PPR proposes to protect, conserve, and manage the CPW in the northeast portion of the site by retaining it in private ownership and the draft DCP includes a Development Concept Plan (Figure 2) which shows this woodland reserve as ‘private open space’. EHG’s preference is for the C2 zoned land to be in public ownership to ensure the C2 zoned land is protected and managed consistently.

It is unclear how the ongoing management and maintenance of the CPW will be undertaken. The PPR proposes the following three options for the ongoing management of the C2 zoned land:

- The C2 zoned land is incorporated with the future adjoining B1 Neighbourhood Centre under either a community title or strata titled scheme. The preferred property scheme will incorporate a levy to ensure funding for ongoing maintenance of the vegetated area in accordance with the relevant vegetation management plan (VMP) or the like.
- The C2 zoned land is dedicated to a funded trust or entity with ongoing maintenance of the vegetated area undertaken in accordance with the relevant VMP or the like.

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- The provision of public access to the conservation land is constrained due to ecologically significant vegetation and the measures needed to ensure its protection and conservation. In consideration of similar examples and principles around surveillance, protection, conservation, and liability, it is assumed that access will not be available to the public (page 62).

The third option above which assumes access to the CPW by the public will not be available needs to be confirmed. The PPR indicates the proposed rezoning will result in a maximum dwelling yield of 430 dwellings on the site so if residents and companion animals are permitted to access the C2 zoned area there is potential for increased impacts on the CPW, native flora and fauna and habitat. EHG recommends any pathways/walking trails are located outside the CPW C2 zoned land to minimise impacts caused by people and companion animals disturbing the CEEC, native flora and fauna and a development control is included in the DCP regarding this (see below).

CPW Buffer

EHG usually recommends buffers are provided around CPW remnants to avoid potential degradation of the CPW but given the existing roads, childcare centre and infrastructure on this site which surround the CPW in the northeast corner and elsewhere on the site it appears that the provision of buffers may not be possible at this site.

EHG recommends:

- the CPW areas in low condition and landscape are rehabilitated and planted with local native provenance species from the CPW
- a permanent barrier (such as a fence) is placed at the outside edge of the CPW that is to be retained and protected to delineate and prevent inadvertent damage to the CPW by maintenance such as mowing/slashing and/or trampling and to prevent vehicles from having access. The fence needs to be appropriate to the site and be designed to:
 - allow for small native fauna passage underneath
 - be suitable as a maintenance edge for management such as mowing/slashing etc.
- local native seed is collected from CPW vegetation on the site that is approved for removal and propagated as soon as possible for use in rehabilitating the CPW on the site and for use in the landscaping of the site with CPW species
- a VMP is prepared and implemented for the site by a suitably qualified bush regenerator for the rehabilitation, management, and long-term maintenance any retained CPW. The CPW is in secure ownership such as public land or consolidated private lot.

Bushfire Management

The PPR states the managed APZ zones are located within either road reserves or areas zoned for urban purposes (section 3.2), but the BPA by EcoLogical Australia indicates that where there is residential zoning proposed adjacent to the retained bushland area, the lots are mapped as BAL40. It is unclear whether this is an adequate bushfire management solution and whether the retained bushland would be affected if residential lots were proposed in this location.

DRAFT SITE SPECIFIC DEVELOPMENT CONTROL PLAN

1.2.1 Key urban design principles and character

Section 1.2.1 (a) of the draft DCP only requires the retention and conservation of native vegetation (including remnant woodland) located in the north easter corner of the site. In terms of avoiding and minimising impacts on biodiversity (CPW/threatened species /threatened species habitat) and alleviating the urban heat island effect EHG recommends the Key urban design principles are amended to include:

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- *The Structure Plan layout avoids and minimises impacts on existing local native vegetation (including CPW and existing local native trees) and habitat*
- *maximise the planting of local native provenance trees along streets, public open space areas, corridor linkages and private open space; and*
- *improve terrestrial connectivity between remnant vegetation*
- *the proposed lot layout/lot size/ street design should allow for the retention of existing native vegetation/trees and maximise the planting of trees.*

1.2.5 Public Open Space

EHG recommends the following objectives are included in Section 1.2.5 of the DCP for the Public Open Space areas:

- *To avoid, protect, link and enhance Cumberland Plain Woodland and local native trees in the open space areas*
- *To ensure open space areas are planted with local native provenance species from CPW (tree, shrubs and groundcover species) rather than use non-local native or exotic species to improve local biodiversity.*

and the following control is included:

- (d) *landscaping of public open space is to use a diversity of Cumberland Plain Woodland plant species of local provenance (including tree, shrub and groundcover species) rather than non-local native species and exotics*

1.2.7 Biodiversity Management

It is recommended the DCP is amended to include the following:

- *Development shall avoid and minimise impacts on existing local native vegetation (including CPW and existing local native trees) and habitat.*
- *Development must conserve, rehabilitate and enhance terrestrial connectivity between CPW vegetation on site by planting local CPW provenance species to enhance habitat and movement for flora and fauna species.*

Conservation of CPW

It is recommended the DCP is amended to include the following controls:

Development shall avoid and minimise impacts on existing local native

- *A Vegetation Management Plan is prepared and implemented by a suitably qualified bush regenerator for the rehabilitation, management and long-term maintenance of any retained CPW in secure ownership such as public land or consolidated private lot for example the north east corner or the central RE1 open space (see section on site planting/landscaping).*
- *A permanent fence is placed at the outside edge of the CPW extent that is to be retained to delineate and prevent inadvertent damage to the CPW and to prevent vehicles from having access.*

Pre-clearing

EHG recommends the DCP includes a section for pre-clearing of native vegetation from the site and includes:

- *Prior to clearing of any trees on the site, to ensure there is a net increase in the number of trees on site, a tree survey report must be prepared to provide details on:*
 - *the total number of trees approved to be removed and retained*
 - *the tree species and whether the trees are native to the site, non-local natives or exotic*
 - *the type and size of tree.*
- *Prior to clearing of native vegetation from the site, native seed from the plants approved for removal is collected and propagated and used in revegetating the site including the rehabilitation of terrestrial linkages, RE1 open space areas, street planting. The seed collection programme should commence as*

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early as possible so that local native provenance plant species are available to be planted, and the trees are advanced and established in size to improve the urban tree canopy and local biodiversity.

- *Any juvenile native plants to be removed shall be salvaged and transplanted to areas that are to be conserved. The juvenile plants must be translocated prior to any earthworks and clearing of native vegetation commencing. The plants should be relocated when plant growth conditions are ideal to give the native plants the best possible opportunity to survive and should be maintained until established.*

Tree hollows

As seven hollow bearing trees are proposed to be removed prior to the removal of existing tree hollows and/or the release of any captured hollow dependent fauna. The compensatory nest boxes should be provided and installed in suitable vegetation that is to be conserved on the site by an appropriately qualified and experienced expert in nest boxes and/or compensatory artificial hollows.

It is recommended the following is included in the DCP in relation to tree hollows:

- **Prior to felling the trees, a nest box management plan must be prepared which includes details on:**
 - *the number, size, type and location of tree hollows to be removed*
 - *the size, type, number and location of where the replacement nest boxes and/or compensatory artificial hollows using a HollowHog tool (<https://www.hollowhog.com.au/>) are to be installed based on the results of the pre-clearing survey.*
- **Prior to felling the trees a suitably qualified ecologist must endeavour to individually remove sections of a tree containing a hollow or other habitat features for relocation and reuse by the project**
 - *trees with hollows should be lopped in such a way that the risk of injury or mortality to fauna is minimised, such as top-down lopping, with lopped sections gently lowered to the ground, or by lowering whole trees to the ground with the “grab” attachment of a machine*
 - *where it is not possible to remove a tree hollow/habitat feature prior to felling the tree, native fauna should first be removed before tree felling and the hollow bearing trees may then be slowly pushed over to avoid damage to hollows.*
- **Prior to removing any hollow-bearing trees, compensatory nest boxes and/or artificial hollows using a HollowHog tool (<https://www.hollowhog.com.au/>) are to be installed within the C2 zoned areas on the site. The size of the nesting box/ artificial hollow is to reflect the size and dimension of the hollow removed.**
 - *nest boxes should be monitored for any repair /maintenance /replacement requirements for a minimum of 5 years. At the end of the 5 years the applicant needs to provide the results of the nest box monitoring and their use or lack thereof to the consent authority and provide recommendations as to the ongoing use of the nest boxes and any future maintenance requirements.*

Removal of vegetation

It is recommended the following controls are included in the DCP for vegetation/ tree removal:

- **Avoid clearing works in late winter/spring during breeding/nesting period of birds**
- **A suitably qualified ecologist/licensed wildlife handler must be present on-site during tree removal**
- **Any native fauna found during tree removal must be captured and relocated to appropriate nearby habitat.**

Salvage of removed trees

EHG recommends the DCP includes a control that native trees approved for removal are reused and salvaged and placed in the C2 zoned land and other appropriate areas on the site to enhance habitat. The reuse and salvage of tree trunks is important, particularly as the EA indicates the Cumberland Plain Land Snail is assumed to occur on the site and the snail is found under logs.

If the removed native trees are not able to be entirely re-used on the site, it is recommended a control is included for the proponent to consult with the local community restoration/rehabilitation

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groups, Landcare groups, and councils etc prior to any clearing commencing to determine if the removed trees can be re-used by others in habitat enhancement and rehabilitation work.

The Proponent must identify where it is practicable to reuse any of the native trees that are approved for removal from the site, including tree hollows and tree trunks (greater than 25-30 centimetres in diameter and three metres in length), and root balls to enhance habitat.

- ***If the removed native trees are not able to be entirely re-used on the site, the proponent must consult with local community restoration/rehabilitation groups, Landcare groups, Local Land Services and Councils prior to removing any native trees to determine if the removed trees can be reused in habitat enhancement and rehabilitation work. This detail including consultation with the community groups and their responses must be documented***

Site Landscaping/Tree planting

The EA indicates it proposes to plant at least 540 trees within the clearing footprint (Table 29) and this will preserve and create additional connectivity across the site (Table 30). It is suggested the applicants provides details on their proposed minimum tree replacement ratio that are to be removed and this is included as a control in the DCP.

In terms of mitigating the urban heat island effect, improving biodiversity, habitat etc at the site it is recommended the DCP includes the following controls:

- ***At least 540 trees are to be planted on the site.***
- ***Any planting on the site shall use a diversity of CPW provenance native trees, shrubs and groundcover species (rather than exotic species or non-local native species).***
- ***Trees are to be planted in locations to improve terrestrial connectivity (as noted above the fragmented patches of CPW should be actively managed and linked to improve the prospects of long-term survival of the remnants and habitats on site).***
- ***Tree planting shall use advanced and established trees for tree species which are commercially available. Other tree species which are not commercially available may be sourced as juvenile sized trees or pre-grown from provenance seed.***
- ***Tree planting/s and landscaping is to be provided at the front and rear of dwellings.***
- ***Enough space must be provided to accommodate the growth of existing trees that are to be retained and any replacement trees to maturity to increase urban tree canopy cover.***
- ***Street tree planting and landscaping should be provided on both sides of the street at the site.***
The street setbacks shall be wide enough to:
 - ***retain existing trees and allow for new planted street trees to grow to maturity without the need for lopping and trimming (as the lopping of trees removes the potential for tree hollows to form)***
 - ***accommodate any proposed footpaths plus allow for the street trees to grow to maturity.***
- ***A Vegetation Management Plan is to be prepared and implemented by an appropriately qualified bush regenerator for remnant CPW that is to be conserved on the site of any retained CPW in a secure ownership such as public land or consolidated private lot for example the north east corner or the central RE1 open space and site planting and include details on:***
 - seed collection – the location of all native seed sources should be identified***
 - the type, species, size, quantity and location of replacement trees***
 - the plan demonstrates the plant species are of local native provenance***
 - the species, quantity and location of shrubs and groundcover plantings***
 - the pot size of the trees to be planted***
 - the area/space required to allow the planted trees to grow to maturity.***
 - maintenance requirements - planted vegetation should be regularly maintained and watered for 12 months following planting. Should any plant loss occur during the maintenance period the plants should be replaced by the same plant species.***

End of Submission

Agency Response 2 – NSW Environment Protection Authority (EPA), 2 December 2022



DOC22/930667-7

2 December 2022

Patrick Lebon
Coordinator Strategic Assessments
Canterbury-Bankstown Council

Via ePlanning Portal

Dear Mr Lebon

Western Sydney University application to rezone 2 and 2A Bullecourt Avenue Milperra

I am writing to you in reply to your invitation to the NSW Environment Protection Authority (EPA) to provide comment on the Bankstown Local Environmental Plan Amendment report for the Western Sydney University site at 2 and 2A Bullecourt Avenue, Milperra (the site).

The EPA understands that the proposal seeks to amend the *Bankstown Local Environmental Plan (BLEP) 2015* to enable the creation of a new residential neighbourhood.

Potential Land-use Conflict with Kelso Waste Facility

If approved, the residential neighbourhood would be approximately 200 m north of the Kelso Waste Facility (KWF) which holds Environment Protection Licences (EPLs 4606 and 12752) for resource recovery, waste storage, waste processing and disposal. Wastes permitted to be stored or processed on the KWF site include garden waste, general solid waste (putrescible), virgin excavated natural material (VENM), building and demolition waste, asphalt waste, waste tyres and waste collected by or on behalf of local Councils from street sweeping.

Section 4 of the Department of Planning and Environment's [Landfilling - EIS Guideline](#) recommends that landfills should not generally be situated within 250 metres of residential zones, to protect their amenity. Conversely, proposed residential development within 250m of an existing landfill needs to be thoroughly assessed and carefully considered. Future details of the potential issues that may arise when residences are located near waste facilities are provided in Attachment A.

Site Contamination

The EPA has reviewed the documents related to site contamination and notes that further investigation is needed to fill data gaps identified by the contaminated land site auditor.

A Remediation Action Plan was developed following interim advice from the auditor and outlines a number of data gaps that require assessment prior to remediation taking place. The additional assessments include:

1. A Detailed Asbestos Gravimetric Assessment across the site in order to assess the amount of asbestos present in soils at the site and the associated risks to sensitive receptors offsite.

2. A Post Demolition Contaminated Land Assessment to assess the suitability of the land for the proposed use including in areas currently covered by structures and in the area of the former Underground Storage Tanks.
3. Investigation of the potential for Hazardous Ground Gas intrusion from the landfill to the south of the site into confined spaces that will be created from the installation of services near the southern boundary with the KWF
4. A Groundwater investigation to assess potential for groundwater contamination to be migrating onto the site from adjacent industrial land to the north and northeast of the site.

The auditor issued a Site Audit Statement (SAS) dated 27 September 2022 which states that the nature and extent of the contamination has been appropriately determined; that the RAP is appropriate and that the site can be made suitable for the proposed uses if the site is remediated in accordance with the RAP, subject to the below conditions:

1. Development of a sampling analysis and quality plan (SAQP) for the data gap assessment and review and approval by a NSW EPA Accredited Site Auditor.
2. The data gap assessment is to be completed following building demolition and removal of hardstand and prior to commencement of bulk earthworks.
3. Should the results of the data gap assessment indicate the requirement for a change in the remediation strategy, the requirements for remediation of groundwater or ground gas issues, or should containment of asbestos impacted soils be confirmed as a remediation strategy, a revision to the RAP (either as an addendum to the RAP or as a remedial works plan (RWP)) will be required, which should be reviewed and approved by a NSW EPA Accredited Site Auditor.
4. Validation of the remediation works is required to be documented in a final site validation report prepared by a qualified environmental consultant confirming that the works have been undertaken in accordance with the RAP and certifying the suitability of the site for the proposed development.
5. Preparation of an environmental management plan (EMP) for the management of any contamination remaining on site following redevelopment that presents a risk to human health or the environment.
6. Preparation of a Section A Site Audit Statement and Site Audit Report by a NSW EPA Accredited Site Auditor reviewing the above information and confirming the suitability of the site for the intended use.

The EPA also recommends that, if the proposed rezoning is approved, the conditions listed in Attachment B, which relate to the suitability of residential developments in close proximity to landfill sites, are considered for inclusion in any development consent that may subsequently be issued.

For any assessment of site contamination, the EPA recommends use of “certified consultants”. Please note that the EPA’s [Contaminated Land Consultant Certification Policy](#) supports the development and implementation of nationally consistent certification schemes in Australia, and encourages the use of certified consultants by the community and industry. All reports submitted to the EPA should comply with the requirements of the CLM Act to be prepared, or reviewed and approved, by a certified consultant.

Should you require clarification of any of the above please contact Damien Rose on (02) 9995 5586 or email environmentprotection.planning@epa.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'MB', followed by a horizontal line and a stylized flourish.

MITCHELL BENNETT
Unit Head – Statutory Planning

Attachment A – Potential issues associated with residential development near the KWF

Potential issues associated with the KWF which may impact on the proposed residential zoning include hazardous ground gas, leachate, odour and dust.

Hazardous Ground Gas

Landfilled materials generate hazardous ground gas (HGG) including methane and carbon dioxide. The excavation of service trenches for water, sewer and other services associated with residential development can create exposure pathways for the landfill gases (which exist at explosive concentrations in landfills) to migrate towards indoor air receptors. For this reason, the construction of service trenches near to landfilled materials increases the risks of landfill gas migration.

Methane presents an explosive risk when it mixes in certain concentrations with oxygen in the presence of a source of ignition. Methane has been reported (27 June 2017) at the ground surface at the edge of the landfill with concentrations exceeding the hazardous ground gas criterion of 500 parts per million (ppm) at the south-east boundary of the site ([EPA Contaminated land Guidelines - Assessment and Management of Hazardous Ground Gases](#)). Methane is likely to be several orders of magnitude higher in the subsurface where there is less mixing with fresh air.

The (draft) Detailed Site Investigation (DSI) undertaken in January 2020 did not include assessment of HGG conditions to the boundary with KWF, nor did it include any assessment of possible landfill gas migration from KWF.

An accredited contaminated land site auditor reviewed the Remediation Action Plan (RAP) and identified the gap with regard to HGG. In the Site Audit Report (SAR), the site auditor, Louise Walkden, noted that the potential for migration of HGG from the KWF onto the site is identified in a preliminary site investigation (PSI) as a potential exposure pathway. The PSI has not been viewed by EPA. The auditor notes that the DSI did not include HGG from KWF as an area of environmental concern (AEC) and the DSI offers the opinion that as the distance between the landfill and the site boundary is approximately 200m, the potential for migration of ground gas onto the site at concentrations that pose a risk is likely to be low. However, the auditor considers further investigations are appropriate.

Leachate

Landfills have the potential to generate groundwater contamination from leachate.

Based on the groundwater assessment undertaken at the KWF, the contaminated site auditor concludes that widespread groundwater contamination is unlikely to be present beneath the site. Historical investigations at the site do not indicate that widespread chemical contamination of soils and groundwater is present, but there are data gaps that need to be resolved before remediation can take place. The site auditor is satisfied that the contaminants of potential concern (CoPC) at the site are appropriate. The selected CoPCs are metals, Total Recoverable Hydrocarbons (TRH), BTEX, PAH, PCB, OCP/OPP, phenols and asbestos. The detected concentrations of CoPC in the soil and groundwater samples were not considered to present an unacceptable risk to human or ecological health, except for the presence of asbestos fines/ friable asbestos which could pose risks.

The DSI notes that PFAS should have been considered in groundwater due to the nearby Bankstown Airport and other industrial sites nearby being known to be impacted with PFAS.

Odour

Odours can occur at former landfill sites particularly during high rainfall periods and southerly wind directions. The most recent complaints regarding odour at the Kelso landfill are dated 26 March

2020. Increased residential development increases the likelihood that odours may interfere with the comfort and repose of residents.

Dust

Some of the areas of the landfill have been capped and rehabilitated and the eastern portion of the landfill has been shaped and covered with VENM. Future earthworks associated with the progressive capping and rehabilitation at the landfill have the potential to cause dust and airborne pollutants. These can cause nuisance to neighbours.

Attachment B: Recommended Conditions for any Subsequent Consent for Residential Development

1. A NSW EPA-accredited Site Auditor must be engaged throughout the duration of the works to ensure that any work required in relation to contamination is appropriately managed.
2. A Sampling and Analysis Quality Plan (SAQP) must be prepared to ensure that field investigations and analyses will be undertaken in a way that enables the collection and reporting of reliable data to inform the Data Gap Closure Assessment for the site. The SAQP must:
 - a. be prepared (or reviewed and approved) by contaminated land consultants certified under either the Environment Institute of Australia and New Zealand's "Certified Environmental Practitioner (Site Contamination)" (EIANZ) scheme or the Soil Science Australia "Certified Professional Soil Scientist Contaminated Site Assessment and Management" (CPSS CSAM) scheme;
 - b. be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997* (NSW); and
 - c. be reviewed by a NSW EPA accredited Site Auditor. The Site Auditor must issue interim audit advice stating whether they consider the SAQP to be appropriate. The SAQP and the interim audit advice prepared by a Site Auditor must be submitted to the Department of Planning for information.
3. A Data Gap Closure Assessment, as outlined in chapter 7 of *Remedial Action Plan - Western Sydney University – Milperra Campus, Horsley Rd & Bullecourt Ave, Milperra, NSW 2214* (Alliance Geotechnical, September 2022) must be prepared. The Data Gap Closure Assessment must:
 - a. be prepared (or reviewed and approved) by contaminated land consultants certified under either the Environment Institute of Australia and New Zealand's "Certified Environmental Practitioner (Site Contamination)" (EIANZ) scheme or the Soil Science Australia "Certified Professional Soil Scientist Contaminated Site Assessment and Management" (CPSS CSAM) scheme;
 - b. be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997* (NSW);
 - c. must state whether a revision to the Remedial Action Plan - Western Sydney University – Milperra Campus, Horsley Rd & Bullecourt Ave, Milperra, NSW 2214 (Alliance Geotechnical, September 2022) (RAP) must be made to ensure the RAP is appropriate to make the site suitable for the proposed use; and
 - d. be reviewed by a NSW EPA accredited Site Auditor. The Site Auditor must issue interim audit advice stating whether they consider the Data Gap Closure Assessment to be appropriate including whether they agree if a revised RAP is or isn't required. The Data Gap Closure Assessment and the interim audit advice prepared by a Site Auditor must be submitted to the Department of Planning for information.
4. If a revised RAP is required, it must be:
 - a. be prepared (or reviewed and approved) by contaminated land consultants certified under either the Environment Institute of Australia and New Zealand's "Certified Environmental Practitioner (Site Contamination)" (EIANZ) scheme or the Soil Science Australia "Certified Professional Soil Scientist Contaminated Site Assessment and Management" (CPSS CSAM) scheme;
 - b. be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997* (NSW); and
 - c. be reviewed by a NSW EPA accredited Site Auditor. The Site Auditor must issue interim audit advice which certifies that the revised RAP is appropriate to make the site suitable for the proposed use. The revised RAP and interim audit advice must be submitted to the Department of Planning for information before remedial works commence.

5. A Section A1 or A2 Site Audit Statement (accompanied by an Environmental Management Plan) and its accompanying Site Audit Report, which states the site suitable for the intended land use, must be submitted to the Department of Planning and the relevant Council after remediation works and validation works have been completed.
6. The site must not be used for the purpose approved under the conditions of this approval until a Section A1 or A2 Site Audit Statement is obtained which states that the land is suitable for that purpose and any conditions on the Section A Site Audit Statement have been complied with.

Agency Response 3 – Office of Strategic Lands (OSL), 15 December 2022

Douglas Cunningham

From: Ashley West
Sent: Thursday, 15 December 2022 9:25 AM
To: Douglas Cunningham
Cc: Stephen Dewick
Subject: RE: NOTICE OF EXHIBITION – Planning Proposal (rezoning) Western Sydney University Milperra Campus site

Hi Doug

I reviewed the proposal and provide the following:

- The SRDF is used to acquired regional open space.
- The area in question has no linkages to regional open space land already acquired or to be acquired by PMC.
- The area is near 2 hectares in size and it would indicates that the land would be more associated to local open space, not regional open space.
- PMC does not any available funding now or into the future to include additional the land for acquisition under SRDF.
- The proposal would need to come with the appropriate amount of funding to cover all costs associated in the acquisition value and due diligence to allow PMC to acquire the land.
- PMC would also need adequate funding to cover the cost of ongoing management of the land.

PMC operations:

- PMC is not in the position to manage land for ongoing use as public open space.
- PMC does not have the legislative mandate to operate public open space.
- PMC would be transferring the land directly to an agency to manage for ongoing public use.
- Council is the most likely agency to manage the land into the future.
- Council will most likely request funding to cover the cost of ongoing management of the land and to cover any cost to upgrade the land.
- PMC does not have funds available to cover these anticipated requests by councils which PMC have previously encountered when transferring land to councils.

The transition of land to public ownership

- PMC without the appropriate funding cannot acquire the land.
- The land would need to be dedicated to PMC.
- PMC is not in the position to take the land and operate as public open space.
- PMC does not have the funds to cover ongoing management of the land.
- The land would need to go to council for the ongoing management and use as public open space.

In summary, without adequate funding PMC cannot be the acquisition authority for this land if it is to be zoned for public open space use. If the land is dedicated to PMC , PMC is not able to manage and operate the land for public open space.

Consider the land is at a size which would be normally be classified as local open space, If the land is to be dedicated or acquired for public open space the transaction will need to be undertaken directly by council as even if funding was made available PMC will not be seeking to hold the for any amount of time due to our inability to manage land for public use.

Council perform this type of transaction regularly. There is no need to have PMC acting in this matter when the end user being council can deliver the same outcome of acquiring the land.

Hope this helps

Ash

Ashley West
A/Senior Maanager Divestments and Transfers
Office of Strategic Lands
4 Parramatta Square
9860 1486

From: Douglas Cunningham <Douglas.Cunningham@planning.nsw.gov.au>
Sent: Monday, 12 December 2022 2:36 PM
To: Ashley West <Ashley.West@planning.nsw.gov.au>
Subject: FW: NOTICE OF EXHIBITION – Planning Proposal (rezoning) Western Sydney University Milperra Campus site

FYI

As discussed

Thanks

Doug

From: Douglas Cunningham
Sent: Friday, 21 October 2022 3:32 PM
To: Elizabeth Parker <Liz.Parker@planning.nsw.gov.au>
Subject: NOTICE OF EXHIBITION – Planning Proposal (rezoning) Western Sydney University Milperra Campus site

Afternooon Liz

Please be advised that the above proposal will be placed on public exhibition from 1 November until 2 December 2022. PMC is being notified as the Corporation owns two sites within the vicinity of the proposal.

The package of information can be viewed online at the planning portal. Submissions will not be able to be lodged until the 1 November 2022.

Feel free to reach out if you have any questions

Thanks

Doug

Douglas Cunningham
Senior Planning Officer, Agile Planning
Delivery, Coordination, Digital and Insights | Planning Group
Department of Planning and Environment

T 02 9274 6357 | **E** douglas.cunningham@planning.nsw.gov.au
4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150

www.dpie.nsw.gov.au



The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Agency Response 4 – NSW Rural Fire Service (RFS), 30 March 2023



NSW RURAL FIRE SERVICE

Department of Planning and Environment (Sydney Offices)
GPO Box 39
Sydney NSW 2001

Your reference: PP-2021-5837
Our reference: SPI20230216000026

ATTENTION: Adam Iskander

Date: Thursday 30 March 2023

Dear Sir/Madam,

Strategic Planning Instrument Rezoning – Planning Proposal

The application seeks to rezone the site from SP2 Infrastructure (Educational Establishment) and SP2 (Electricity Transmission or Distribution Network) to R1 General Residential, B1 Neighbourhood Centre, RE1 Public Recreation, RE2 Private Recreation and SP2 Infrastructure (for stormwater drainage reserve).

I refer to your correspondence dated 13/02/2023 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

After reviewing the supporting documents:

- *Gateway determination report – PP-2021-5837 - Western Sydney University Milperra Campus*, prepared by Department of Planning and Environment, Ref: IRF22/1216, dated June 2022; and
- *Bushfire Protection Assessment Subdivision WSU Milperra Campus*, prepared by EcoLogical Australia, Ref: 19WOL_14287, dated 14 September 2022.

There is no objection to the proposal subject to future development demonstrating compliance with Section 5 of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Joshua Calandra on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese
**Supervisor Development Assessment & Plan
Built & Natural Environment**

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

30 September 2022

Mr Mathew Stewart
General Manager,
City of Canterbury Bankstown
PO Box 8
Bankstown NSW 1885

Attn: Patrick Lebon, patrick.lebon@cbc.city.nsw.gov.au

Dear Mr. Lebon,

**RE: SINSW SUBMISSION – WESTERN SYDNEY UNIVERSITY CAMPUS,
MILPERRA (PP-2021-5837)**

School Infrastructure NSW (SINSW), as part of Department of Education (the Department), welcomes Canterbury Bankstown Council's invitation to provide comments on Planning Proposal for the Western Sydney University Campus, Milperra (the draft Proposal).

SINSW understand that the proposal seeks to rezone the Western Sydney University site to a mixture of Residential, Business, Recreation and Conservation uses. The draft Proposal is projected to result in approximately 430 new dwellings.

SINSW has reviewed the exhibition package and finds that the number of students projected to be generated by the proposal can be accommodated by the surrounding schools, subject to upgrades and intake area adjustments. SINSW has provided detailed commentary within the attachment below. SINSW welcome the opportunity to engage further on the planning proposal and the content contained in this submission.

Should you require further information about this submission, please contact the SINSW Strategic Planning Team at Strategicplanning@det.nsw.edu.au.

Yours Sincerely,



Digitally signed by
Paul Towers
Date: 2022.09.30
09:53:38 +10'00'

Paul Towers
Executive Director, Infrastructure Planning



School Infrastructure NSW (SINSW)
Level 8, 259 George Street GPO Box 33, Sydney, NSW 2001
schoolinfrastructure@det.nsw.edu.au education.nsw.gov.au

ATTACHMENT – SINSW SUBMISSION – WESTERN SYDNEY UNIVERSITY CAMPUS, MILPERRA

Demand for Educational Facilities

SINSW uses population and dwelling projection data provided by DPE as the foundation to school planning. These are analysed to produce the Department's Student by Area (SbA) projections. This data allows SINSW to assess the anticipated demand for public schools within an area or region and the best way to deliver infrastructure to support this need. The SINSW approach to identifying and evaluating the service need also includes consideration of asset suitability, equity and strategic opportunities.

Based on a review of the proposal and the SbA projections for this locality, SINSW can advise that the enrolment demand resulting from the proposed development can likely be accommodated by the surrounding primary and secondary schools.

According to the 2021 Australian Bureau of Statistics Population Census, the suburbs of Milperra, Panania, Picnic Point, Revesby and Padstow have:

- 5,253 students enrolled in a primary school (PS), with 3,292 of those students enrolled in a government primary school. There are 11 government primary schools located in this part of the Canterbury Bankstown LGA (East Hills PS, Milperra PS, Padstow Heights PS, Padstow North PS, Padstow Park PS, Panania North PS, Panania PS, Picnic Point PS, Revesby PS, Revesby South PS and Tower Street PS).
- 4,447 students are enrolled in a high school (HS), with 2,637 of these students enrolled in a government high school (including those enrolled in selective schools). There are 4 high schools located in this part of the LGA (East Hills Girls Technology HS, East Hills Boys HS, Picnic Point HS and Sir Joseph Banks HS). The intake area for Sir Joseph Banks HS also includes part of Bankstown, Punchbowl and Riverwood. Projects have been announced at Picnic Point HS and Sir Joseph Banks HS which will provide additional enrolment capacity, to meet future demand in the area.

Notwithstanding the above, the subject proposal is located in a key Local Government Area (LGA) for significant residential growth, in addition to being in close proximity to other rezoning projects. SINSW is in the process of reviewing the growth proposed for the wider LGA in order to identify appropriate solutions to accommodate future projected enrolment demand. This will ensure that existing schools are fully utilised before new schools are considered.

SINSW is committed to working with Council to ensure schools are supporting community needs and continue to be appropriately resourced to respond to student population changes. As a result, SINSW request ongoing engagement with Council regarding any future growth and change identified for the locality.

Active Transport and Access

SINSW note that while a Transport Assessment has been prepared (by TTTP) to support the draft Proposal, this excludes consideration of pedestrian prioritisation measures for the new Precinct. As a result, SINSW request that the assessment be updated to consider pedestrian travel opportunities within the Precinct as well as identify active transport links to existing school travel paths.

In addition, SINSW request that transport planning for the draft Proposal be guided by the NSW Governments Movement and Place Framework (MAPF) and its Built Environment Performance Indicators. These indicators are based on qualities that contribute to a well-designed built environment and should be used by proponents in the formulation of transport concepts.

The MAPF's core 'Amenity and Use' and 'Primary Schools' indicators are of particular importance to SINSW, as these encourage urban designers to consider the impact on adjacent places/uses, as well as emphasising movement that supports place. The 'Primary Schools' indicator provides two specific metrics to judge the effect of infrastructure on the accessibility of public schools in an area; these being walkability and public transport access. These metrics require designers to assess whether proposed infrastructure facilitates access to primary school facilities (or public transport connections to schools) or whether it exacerbates gaps in the network.

The primary school-focused MAPF amenity indicator can be accessed via the link below:

<https://www.movementandplace.nsw.gov.au/place-and-network/built-environment-indicators/primary-schools>

21 November 2022

Our Ref: 203436

Patrick Lebon

Coordinator Strategic Assessments
Canterbury-Bankstown Council
patrick.lebon@cbc.city.nsw.gov.au

RE: Planning Proposal 2 Bullecourt Avenue Milperra PP-2021-5837

Thank you for notifying Sydney Water of the planning proposal listed above seeking to rezone the site from SP2 Infrastructure (Educational Establishment) and SP2 (Electricity Transmission or Distribution Network) to R1 General Residential, B1 Neighbourhood Centre, RE1 Public Recreation, RE2 Private Recreation and SP2 Infrastructure (for stormwater drainage reserve and set a maximum dwelling cap across the proposed R1 zone of 430 dwellings. We have reviewed the application based on the information supplied and provide the following comments for your information to assist in planning the servicing needs of the proposed development.

Water and Wastewater Servicing

- Potable water and wastewater system should have adequate capacity to service the proposed development.
- Amplifications, adjustments, and/or minor extensions may be required.

This advice is not a formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our [Land Development](#) web page.

The development servicing advice provided by Sydney Water is based on the best available information at the time of referral (eg. planning proposal) but will vary over time with development and changes in the local systems. This is particularly important in systems with limited capacity and it is best to approach Sydney Water for an updated capacity assessment (especially where an approval letter is more than 12 months old). We advise that the proponent contacts Sydney Water as soon as feasible to discuss detailed servicing.

If you require any further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,



Kristine Leitch

Commercial Growth Manager
City Growth and Development, Business Development Group
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Agency Response 7 – Transport for NSW (TfNSW), 24 March 2023

24 March 2023

TfNSW Reference: SYD22/01297

Council Reference: 1721 (PP 2021-5837)

Mr. Matthew Stewart
General Manager
Canterbury Bankstown Council
PO Box 8
Bankstown NSW 1885

Attention: Patrick Lebon

REZONING TO PERMIT R1 GENERAL RESIDENTIAL, B1 NEIGHBOURHOOD CENTRE, RE1 PUBLIC RECREATION, RE2 PRIVATE RECREATION AND SP2 INFRASTRUCTURE (FOR STORMWATER DRAINAGE RESERVE) - WESTERN SYDNEY UNIVERSITY AT 2-2A BULLECOURT AVENUE, MILPERRA

Dear Mr Stewart,

Reference is made to the abovementioned planning proposal, which was referred to Transport for NSW (TfNSW) for review and comment via the Planning Portal.

TfNSW has reviewed the proposal and has no requirements as the proposed development is unlikely to have a significant impact on the state road network.

Council as the relevant planning authority will need to ensure that any future residential development on the subject site be designed such that road traffic noise from the M5 is mitigated by durable materials to satisfy the requirements for habitable rooms under clause 120 of State Environmental Planning Policy (Transport and Infrastructure) 2021

Should you have any further inquiries in relation to this matter, please do not hesitate to contact Jennifer Chen by email at development.sydney@transport.nsw.gov.au.

Yours sincerely,



James Hall
A/Director Land Use
Planning and Programs, Greater Sydney Division

OFFICIAL

Agency Response 8 – Ausgrid, 27 February 2023

Douglas Cunningham

From: Development <Development@Ausgrid.com.au>
Sent: Monday, 27 February 2023 10:35 AM
To: Adam Iskander; Development
Subject: RE: Planning Proposal PP-2021-5837: Request for agency referral received Ref-1724

Hi Adam,

Table 15 – Infrastructure – The developer has identified that 6-8 new substations would be required to service the new development. The developer is to submit the connection application via www.Ausgrid.com.au. Noting all design submission must comply with relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice for construction works near existing electrical assets.

Ausgrid has no further submission at this stage.

ELTON CONSULTING

Infrastructure	Existing capacity	Proposed capacity
	M5 Motorway. It then discharges to the Panania carrier.	
Electricity	Ausgrid owns the electrical infrastructure within and surrounding the development. The services are predominantly overhead, with some assets being underground.	The existing infrastructure has sufficient capacity to service the additional dwellings. Between 6 and 8 new substations would be required to support the new development.
Gas	The existing gas main along Ashford Avenue/Bullecourt Avenue is not sufficient to support the new development.	The gas main along Bullecourt Avenue/Horsley Road is sufficient to service the development. A below ground pressure reducing device would need to be located within the public verge to enable natural gas reticulation.
Telecommunications		The existing NBN services along Bullecourt Avenue and Horsley Road can service the proposed number of dwellings.

Regards,

David Su
Engineering Officer - Asset Protection | Transmission Mains | Network Delivery Services



02 8569 6584 (Ext: 66584) [0438 249 651](tel:0438249651)
Level 1(Building 2), 25-27 Pomeroy Street, Homebush NSW 2140
DSU@ausgrid.com.au

Please consider the environment before printing this email.

From: Adam Iskander <adam.iskander@dpie.nsw.gov.au>
Sent: Monday, 27 February 2023 10:07 AM
To: Development <Development@Ausgrid.com.au>
Subject: RE: Planning Proposal PP-2021-5837: Request for agency referral received Ref-1724

David,

Let me know if this works

https://environmentnswgov.sharepoint.com/:f/s/MST_PDPS_GSPISurge/Eo8UMWS2U-BGoTSD0Fd7UncB4S2XhJxttu-e845-7wJv-w?email=development%40ausgrid.com.au&e=AnEz8m

Adam Iskander
Senior Planning Officer | Agile Planning